



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

AGENDA

Planning and Zoning Commission Regular Meeting*

Tuesday, March 6, 2018, at 6:00 P.M.

City Hall Meeting Room

201 E. Walnut

Call to Order

ITEM 1: Consider and take appropriate action regarding approval of the Planning and Zoning Commission Meeting Minutes on February 6, 2018.

ITEM 2: Consider changing the meeting times from 6:00 p.m. to 5:30 p.m.

Public Hearing Items:

ITEM 3: **RP2018-02** Commission to hear and take action to make a recommendation to City Council regarding Replat Application 2018-02—Mr. Loyd Jackson's request, on behalf of South Martin Branch Development, L.P., to final plat Lots 3R-8R, Block C, South Martin Branch, Phase 3, being approximately 16.11 acres and a replat of Lots 3-8, Block C, South Martin Branch, Phase 3 of the South Martin Branch Planned Development, to the City of Decatur, Wise County Texas. A complete legal description is found on the plat exhibit which is located at 1601 S. State St, Bldg. C, Decatur, Texas 76234.

Non Public Hearing Items:

ITEM 4: **V2018-01** Commission to hear and consider and take action to make a recommendation to City Council regarding Variance Application 2018-01—Mrs. Diana Haydon's request for a variance from Chapter 1, Section 106, Sidewalks of the City of Decatur's Design Standards on approximately 70.80 linear feet along N. Church St., where adjacent to the west boundary of Lot 5, Block 6, Terrell Addition, and more commonly known as 902 N. Church St., City of Decatur, Texas.

ITEM 5: **PP2017-09** Commission to hear and consider and take action to make a recommendation to City Council regarding Preliminary Plat Application 2017-09—Mr. Thom Lambert's request, on behalf of the Corporation for Economic Development of the City of Decatur, to preliminary plat Lots 1-3, Block 1, Eagles Landing Business Park Addition, being a 162.1419-acre tract of land in the S. Brandenburg Survey, Abstract No. 49, the F. Diaz Survey, Abstract No. 254, and the Smith & Merrimam Survey, Abstract No. 785, City of Decatur, Wise County, Texas. A complete legal description of the property is located on the plat exhibit found in the staff report.

ITEM 6: **PP2017-12** Commission to hear and take action to make a recommendation to City Council regarding Preliminary Plat Application 2017-12—Mr. Jake Long's request, on behalf of J&S Wood Investments, to preliminary plat Lots 1 & 2, Block 1, West Decatur Hill Subdivision, being a 28.41-acre tract of land in the G.M. Vigil Survey, Abstract Number 857, City of Decatur, Wise County, Texas. A complete legal description of the property is included in the staff report.

ITEM 7: **FP2017-11** Commission to hear and consider and take action to make a recommendation to City Council regarding Final Plat Application 2017-11—Mr.

Thom Lambert's request, on behalf of the Corporation for Economic Development of the City of Decatur, to final plat Lots 1-3, Block 1, Eagles Landing Business Park Addition, being a 162.1419-acre tract of land in the S. Brandenburg Survey, Abstract No. 49, the F. Diaz Survey, Abstract No. 254, and the Smith & Merrimam Survey, Abstract No. 785, City of Decatur, Wise County, Texas. A complete legal description of the property is located on the plat exhibit found in the staff report.

ITEM 8: Provide direction on whether or not joint public input workshops on proposed land use amendments to the Downtown Land Use District and the proposed Hale Street Corridor Mixed-Use Land Use District should be held in April: April 16, 2018, AND April 30, 2018.

ITEM 9: New and/or future business items:
a. April meeting currently has three (3) applications.

Adjournment

Prepared and posted this the 2nd day of March, 2018, in accordance with Chapter 551, Texas Government Code.

Dedra Denée Ragland, AICP
Planning and Development Director

MINUTES

A regular called meeting of the City of Decatur Planning and Zoning Commission was held at 6:00 p.m., Tuesday, February 6, 2018, at City Hall with the following in attendance:

MEMBERS PRESENT:

Curtis Creswell
Terry Berube
John Lanier
Eddie Allen

MEMBERS ABSENT:

William D. Edwards, Chairman
Cecil LeMond, Vice-Chairman
Eileen Standridge

OTHERS PRESENT: Planning and Development Director Dedra Ragland, Legal Counsel Patricia Adams, City Engineer Earl Smith, Building Official Wayne Smith and Development Review Coordinator Shanna Smith, representing the staff; Mike Herrijgers, Loyd Jackson, Jesse Branscum and Bobbie Branscum, representing the applicants; and Johanne Woodruff, Gregory Johnsen, Brennan Williams and Sharon Meyer, Decatur citizens.

In the absence of Chairman Edwards and Vice-Chairman LeMond, Commissioner Allen made a motion for Commissioner Creswell to serve as acting Chairman. Commissioner Berube seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

Commissioner Creswell called the meeting to order at 6:00 p.m.

ITEM 1: Consider and take appropriate action regarding approval of the Planning and Zoning Commission Meeting Minutes on:

a. January 2, 2018

Commissioner Allen made a motion to approve the Meeting Minutes for January 2, 2018. Commissioner Berube seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

b. January 29, 2018, Joint Workshop with City Council

Commissioner Lanier made a motion to approve the Meeting Minutes for January 29, 2018. Commissioner Berube seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

Public Hearing Items:

ITEM 2: **A2017-16** Commission to hear and consider and take action to make recommendation to the City Council regarding Annexation Application 2017-16—Mr. Joe Forman and Mrs. LaDonna Forman Wren's request to voluntarily annex approximately 2.168 acres into the corporate limits of the City of Decatur, Texas and approximately 1.22 acres of the portion of FM 1810 adjacent to and extending 283' along said territory where adjacent to the current city limits and to the tract to be annexed in Decatur's western extraterritorial jurisdiction (ETJ). A complete legal description of the property can be obtained from the Planning and Development Services Department.

Planning Director Ragland presented the staff report. Nine (9) property were notified with no responses in favor of, neutral to or opposed. Staff verified that water, sewer, police and fire will be available to service the property upon annexation. The Service Analysis and the Service Plan are included in the staff report. Staff recommended approval.

Commissioner Allen made a motion to recommend approval of Annexation Application 2017-16. Commissioner Berube seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

ITEM 3: CP2017-18 Commission to hear and consider and take action to make recommendation to the City Council regarding Comprehensive Plan Amendment Application 2017-18—Mr. Joe Forman and Mrs. LaDonna Forman Wren's request to amend the official comprehensive land use map, on approximately 2.168 acres of land and approximately 1.22 acres of the portion of FM 1810 adjacent to and extending 283' along said territory where adjacent to the corporate limits of the City of Decatur, Texas, to a Low Density Residential (LDR) Land Use Designation. The property to be annexed and land use amended is generally located 283' west of the centerline of Fortenberry Road in Decatur's western extraterritorial jurisdiction (ETJ). A complete legal description of the property can be obtained from the Planning and Development Services Department.

Planning Director Ragland presented the staff report. Nine (9) property were notified with no responses in favor of, neutral to or opposed. Land Use is not identified in the ETJ. Staff recommended approval.

Commissioner Allen asked what are the property owners' plans for the property. Planning Director Ragland answered staff is not aware of the property owners' plans for the property.

Commissioner Lanier asked about the access to the property and if the property owner has applied for a driveway from TxDOT. Planning Director Ragland answered access is off of Fortenberry Road and not FM 1810. The portion of the property being proposed for Annexation and the Comprehensive Plan Amendment is part of another tract, and that tract is currently inside the City Limits.

Commissioner Berube made a motion to recommend approval of Comprehensive Plan Amendment 2017-18. Commissioner Lanier seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

ITEM 4: ZC2017-19 Commission to hear and consider and take action to make recommendation to the City Council regarding Zoning Change Application 2017-19—Mr. Joe Forman and Mrs. LaDonna Forman Wren's request to zone approximately 2.168 acres of land and approximately 1.22 acres of the portion of FM 1810 adjacent to and extending 283' along said territory where adjacent to the corporate limits of the City of Decatur, Texas, upon the effective date of Annexation, to a Single Family Residential-1 (Sf-1) Zoning District. The property to be annexed and zoned is generally located 283' west of the centerline of Fortenberry Road in Decatur's western extraterritorial jurisdiction (ETJ). A complete legal description of the property can be obtained from the Planning and Development Services Department.

Planning Director Ragland presented the staff report. Nine (9) property were notified with no responses in favor of, neutral to or opposed. State law does not permit zoning regulations to extend in the ETJ. Property owner is requesting a Single Family-1 (SF-1) Zoning District designation, which is the City's most restrictive residential zoning district. Staff recommended approval.

Commissioner Berube made a motion to recommend approval of Zoning Change 2017-19. Commissioner Lanier seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

ITEM 5: SUP2017-07 Commission to hear and consider and take action to make a recommendation to City Council regarding Specific Use Permit Application 2017-07—Mrs. Bobbie Branscum's request, on behalf of South Martin Branch, LP, for a Specific Use Permit to allow a Daycare in a Thoroughfare Business (C-2) Zoning District in the South Martin Branch Planned Development (PD), on approximately 0.98 acres of land being legally proposed as Lot 37, Block F, South Martin Branch Addition, Phase 5, or more commonly referred to as 420 Martin Branch Rd., Decatur,

Texas. A complete legal description of the property can be obtained from the Planning and Development Services Department.

Planning Director Ragland presented the staff report. The South Martin Branch Planned Development (PD) was originally adopted in 2007, and has had several amendments to the residential portion of the PD; however, underlying zoning of the tracts located at the entry of the Subdivision has remained Thoroughfare Business (C-2). Daycares are permitted in the C-2 Zoning District with a Specific Use Permit (SUP). Planning Director Ragland identified a list of commercial uses that are permitted by right in the C-2 Zoning District and that were likely less desirable than a daycare. The Branscums are also hoping to move forward with platting the property to develop it; however, the SUP will need to be approved before the property can be platted. Fourteen (14) property were notified, with five (5) responses received in opposition to the request. Two (2) of the responses are within the 200' buffer and the remaining three (3) are outside the 200' buffer.

Commissioner Lanier restated that there are several commercial uses that can build without an SUP with no restrictions. Planning Director Ragland answered, yes.

Commissioner Creswell reiterated the underlying zoning on the tract has been C-2 from the beginning.

Johanne Woodruff, 2996 Timber Trail Drive, Decatur, Texas, addressed the Commission. Ms. Woodruff is not in the 200' buffer notification. She stated she is concerned about the increase in traffic since South Martin Branch has limited access in and out of the subdivision. Ms. Woodruff stated most of the residents in the subdivision are older and she is concerned about a decrease in their property values. Her other concerns included sewer issues, noise, buffer requirements and if the daycare owner will be subjected to the same Homeowners' Association (HOA) requirements as the homeowners. Ms. Woodruff did not know that the outer tracts of the subdivision were zoned commercial.

Commissioner Allen asked if the applicant can answer some of Ms. Woodruff's questions. Planning Director Ragland answered, yes.

Gregory Johnsen, 3005 S. College Avenue, Decatur, Texas, addressed the Commission. Mr. Johnsen is also concerned about the traffic impacts to the subdivision. He stated he is ambivalent to the proposed daycare. He too is not in the 200' buffer notification, but as a homeowner, he would have like to have been informed.

Commissioner Allen stated the 200' notification is a state law requirement.

Commissioner Creswell asked Mr. Johnsen if there are any uses from the Permitted Use List presented by the Planning Director that he would rather see built. Mr. Johnsen stated a daycare is the least undesirable use of the all the uses listed.

Commissioner Creswell stated the daycare could increase the property values as the subdivision may become more appealing to young families.

Sharon Meyer, 3036 Timber Trail Drive, Decatur, Texas, addressed the Commission. Ms. Meyer does live within the 200' buffer. She stated she was not aware the property on the outer edge of the subdivision was zoned C-2. She is concerned about the possibility of retail stores. Ms. Meyer is also concerned about the increase in traffic. She had several questions such as how many kids the daycare will accommodate, hours of operation and noise. She did not believe the 200' notification reached far enough and all the residents of the subdivision should have been notified. Her home is across the street from the daycare so she will be looking at the building from her front door. She wanted to know if the daycare owner will be subject to the HOA requirements. Ms. Meyer is also worried about the daycare going out of business and the upkeep of the property if that were to happen.

Applicant Jesse Branscum addressed the Commission and attempted to answer questions posed by the residents. He stated it was not his intention to upset any of the homeowners. The daycare will accommodate one hundred and ten (110) children. There will be a wooden privacy fence on the west side of the property to serve as a buffer per the City Design Standards. Mr. Branscum stated they are making sure everything is done by the building and

fire codes, to the satisfaction of the subdivision owner, and according to both the City standards and state requirements. The design of the daycare will be in accordance with the design of the homes in the subdivision. He stated he is from Decatur and lives here with his wife, Bobbie, and their two children. It is their experience that all the daycares in Decatur are full and they are trying to meet a need. Mr. Branscum stated they are complying with State, City and South Martin Branch Planned Development regulations.

Commissioner Allen asked Planning Director Ragland if the daycare will need to comply with commercial landscaping regulations. Planning Director Ragland answered, yes.

Commissioner Creswell asked Mr. Branscum if he has any experience in the daycare business. Mr. Branscum stated he did not have any daycare experience but saw a need in Decatur. He knows a number of families who take their children to Bridgeport and Rhome because the Decatur daycares are full.

Commissioner Creswell asked Mr. Branscum who will run the daycare. Mr. Branscum answered they have a management team ready and his wife will be at the location.

Commissioner Creswell asked if they could handle one hundred and ten (110) children at one time. Mr. Branscum responded they will comply with the State requirement for teacher/children ratio.

Commissioner Lanier stated daycares are highly regulated by the State and fire codes.

Commissioner Allen feels like the daycare will be “good neighbors” since their hours of operation are likely to be 6:00 a.m. – 6:00 p.m.

Sharon Meyer asked what will be the square footage of the building. Mr. Branscum stated it will be a 6,000 square foot building constructed of masonry with stone accents.

Johanna Woodruff asked if trees will be planted to buffer some of the playground noise. Ms. Woodruff does feel like Mr. Branscum is trying to do a good job and do right by the home owners.

Commissioner Allen stated the HOA will listen to the concerns of the homeowners.

Mr. Branscum believes the buffer fence will keep the playground noise to a minimum. The maximum number of children on the playground at any given time will be fifty (50). The children will rotate by age to the playground area. Mr. Branscum stated he believes the traffic from FM 730 creates more noise than will the children. He also stated the hours of operation will be as Commissioner Allen mentioned, 6:00 a.m. – 6:00 p.m.

Sharon Meyer again stated her concerns with the increase in traffic to the subdivision. If the daycare can accommodate one hundred and ten (110) children, there will one hundred and ten (110) cars in the neighborhood twice a day. Mr. Branscum stated it is their intention to have two (2) school buses so that will cut down on the traffic.

City Engineer, Earl Smith, addressed the Commission in an effort to answer questions relative to access, sewer and drainage. City Engineer Smith stated South Martin Branch has worked closely with the City during the initial stages of the Planned Development. The City was fully aware of the number of lots proposed for the development, including the commercial tracts. The lot in question will drain according to the engineered plans and water and sewer are existing. The building will also be sprinkled to meet the fire code. City Engineer Smith went on to say that a traffic study was conducted in 2007 with review and approval by TxDOT. The traffic study is responsible for the lane improvements on FM730 and inclusion of the median on Martin Branch Road. He stated that due to the turning lane on FM 730, cars can be “stacked” at the turn-in to the subdivision if needed. The traffic study did also account for the most intensive commercial uses in the development. The traffic study was prepared by a Traffic Engineer and is available for anyone to review. As far as sewer issues by small children, City Engineer Smith stated he hoped the children will not place foreign items in the toilet; however, if they do, the City’s responsibility is to clear the lines on the City’s side. Mr. Branscum added the original plan for the driveway was a single lane; however, they have added two (2) lanes to help the flow of traffic.

Commissioner Creswell thanked Mr. Branscum for answering the citizens' questions.

Commissioner Berube also thanked Mr. Branscum.

Commissioner Creswell asked Planning Director Ragland if the citizens can address the Council at the City Council meeting on Monday, February 12, 2018. Planning Director Ragland answered, yes. She went on to say the meeting on Monday will be in the same location and at the same time as tonight's meeting.

Commissioner Allen made a motion to recommend approval of Specific Use Permit 2017-07. Commissioner Berube seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

Non Public Hearing Items:

ITEM 6: PP2017-10 Commission to hear and consider and take action to make a recommendation to City Council regarding Preliminary Plat Application 2017-10—Mr. Glenn Hughes' request, on behalf of Wise County, Texas, to preliminary plat Lot 1, Block 1, Wise County Fair Grounds Addition, being a 166.66-acre tract in the S. Isaacs Survey, Abstract No. 454, Wise County, Texas. A complete legal description of the property is located on the plat exhibit found in the staff report.

Planning Director Ragland presented the staff report. The property is a large tract of land and there are issues with dedicated and blanket easements by the gas well operators and the pipeline companies. There is a clause in the Subdivision Regulations that states letters of approval from entities with an interest in land proposed for platting be provided to the City. However, getting a response from many of the entities, specifically the gas well operators, can prove challenging. City Attorney Mason Woodruff has stated staff can move forward with the plat even if staff does not receive any correspondence from the entities, as long as reasonable effort has been made to get in contact with the entities. Planning Director Ragland stated surveyor Mike Herrijgers sent certified letters and attempted to visit the offices of the gas well operator with an interest in this property, but with no success. Save for the letters of approval by the gas well operators, the plat meets the City's minimum requirements. Staff recommended approval.

Commissioner Allen asked if Mr. Herrijgers actually went to the well company offices. Mr. Herrijgers answered, yes, he went to Muenster, Texas.

Planning Director Ragland stated that as well ownerships change overtime, it becomes increasingly difficult to make contact.

Commissioner Allen made a motion to recommend approval of Preliminary Plat 2017-10. Commissioner Lanier seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

ITEM 7: FP2017-03 Commission to hear and consider and take action to make a recommendation to City Council regarding Final Plat Application 2017-03—Mr. Glenn Hughes' request, on behalf of Wise County, Texas, to final plat Lot 1, Block 1, Wise County Fair Grounds Addition, being a 166.66-acre tract in the S. Isaacs Survey, Abstract No. 454, Wise County, Texas. A complete legal description of the property is located on the plat exhibit found in the staff report.

Planning Director Ragland presented the staff report. Same issues and concerns as presented in the report for PP2017-10. Planning Director Ragland also reminded the Planning and Zoning Commission they approved a variance for curb, gutter and sidewalk construction for this location in January 2018 (V2017-22). Staff recommended approval.

Commissioner Lanier made a motion to recommend approval of Final Plat 2017-03. Commissioner Berube seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

ITEM 8: **PP2017-15** Commission to hear and consider and take action to make a recommendation to City Council regarding Preliminary Plat Application 2017-15—Mrs. Bobbie Branscum’s request, on behalf of South Martin Branch, LP, to preliminary plat Lot 37, Block F, South Martin Branch Addition, Phase 5, being a 0.98-acre tract of land in the William Dunn Survey, Abstract 257, and in the South Martin Branch Planned Development (PD), in the City of Decatur, Wise County, Texas. A complete legal description of the property is located on the plat exhibit found in the staff report.

Planning Director Ragland presented the staff report. Since the SUP for this property has been recommended for approval, the applicant is moving forward with the plat applications. Staff recommended approval.

Commissioner Berube made a motion to recommend approval of Preliminary Plat 2017-15. Commissioner Lanier seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

ITEM 9: **FP2017-15** Commission to hear and consider and take action to make a recommendation to City Council regarding Final Plat Application 2017-15—Mrs. Bobbie Branscum’s request, on behalf of South Martin Branch, LP, to final plat Lot 37, Block F, South Martin Branch Addition, Phase 5, being a 0.98-acre tract of land in the William Dunn Survey, Abstract 257, and in the South Martin Branch Planned Development (PD), in the City of Decatur, Wise County, Texas. A complete legal description of the property is located on the plat exhibit found in the staff report.

Planning Director Ragland presented the staff report. This is the second step in the platting process. Staff recommended approval.

Commissioner Allen made a motion to recommend approval of Final Plat 2017-15. Commissioner Berube seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

ITEM 10: **RP2018-01** Commission to hear and consider and take action to make a recommendation to City Council regarding Replat Application 2018-01—Mr. Willie Hayden’s request to final plat Lot 2R, Block 101, South Decatur Addition, being a 0.862-acre tract of land and a replat of a portion of Lots 1-4, Block 101, South Decatur Addition, to the City of Decatur, Wise County Texas. Access to US Hwy 81-287 is by way of a 30’ private road easement (Volume 789, Page 788). A complete legal description of the property is located on the plat exhibit found in the staff report.

Planning Director Ragland presented the staff report. While the property may look land locked, Planning Director Ragland stated there is a private road easement to the property. The applicant has opened an antique car repair shop and may possibly expand the building in the future. The Building Official informed the applicant the property was not platted. Applicant has agreed to plat the property in anticipation of expanding the building. Staff recommended approval.

Commissioner Lanier asked if the property is being platted into one (1) lot. Planning Director Ragland answered, yes.

Commissioner Berube made a motion to recommend approval of Replat 2018-01. Commissioner Lanier seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Standridge absent.

ITEM 11: New and/or future business items:
a. March meeting currently has four (4) applications.
b. Begin public input meetings for proposed Downtown Land Use District Extension and Hale Street Corridor Mixed-Use Land Use District. Possibly Tuesday, February 20, 2018 and Tuesday, February 27, 2018.

Commissioner Allen asked if Main Street Director Frieda Lasater has had much feedback for the Downtown Extension. Planning Director Ragland answered, no, at this time.

The meeting adjourned at 6:55 p.m.

Curtis Creswell, Acting Chairman

ATTEST:

Dedra Denée Ragland, Planning Director



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

Agenda Item 3

STAFF REPORT

March 6, 2018–Planning & Zoning Commission Meeting

TO: Planning & Zoning Commissioners

CASE: RP2018-02

FROM: Dedra D. Ragland, AICP, Planning Director

APPLICANT: Loyd Jackson, on behalf of
South Martin Branch
Development, LP

DATE: February 22, 2018

REQUEST: Replat Application

Case Notes:

Hear staff report and consider taking action to make a recommendation to City Council regarding Replat Application 2018-02—Mr. Loyd Jackson's request, on behalf of South Martin Branch Development, LP, to final plat Lots 3R-8R, Block C, South Martin Branch, Phase 3, being approximately 16.11 acres and a replat of Lots 3-8, Block C, South Martin Branch, Phase 3 of the South Martin Branch Planned Development, to the City of Decatur, Wise County Texas. A complete legal description is found on the plat exhibit which is located at 1601 S. State St, Bldg. C, Decatur, Texas 76234. A complete legal description is found on the plat exhibit in this staff report.

Legality:

This property can be legally platted in accordance with Section 212 of the *Texas Local Government Code*.

Issues:

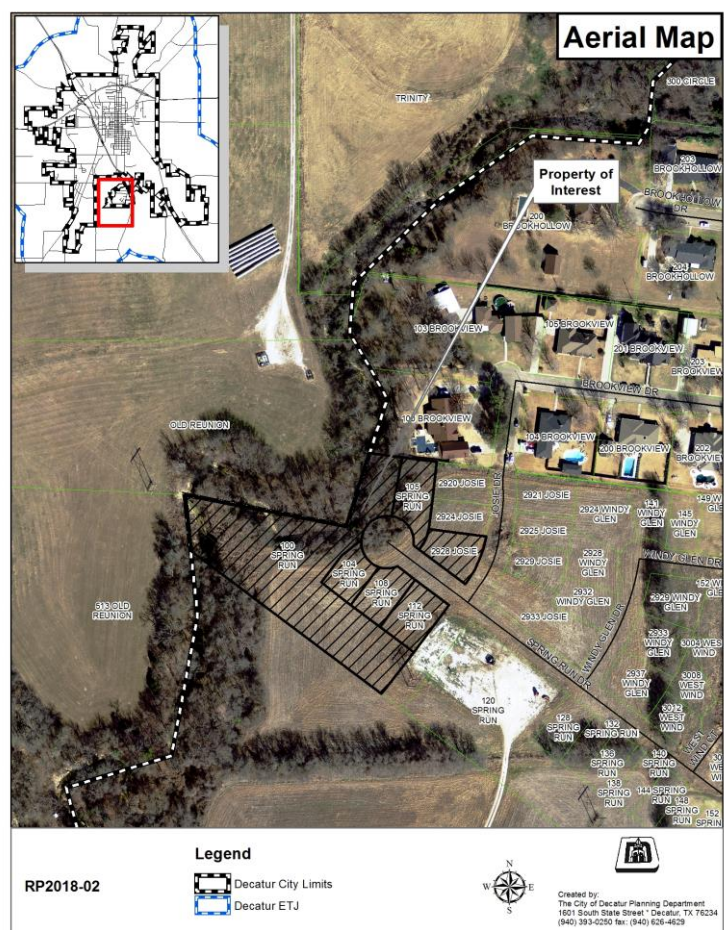
None.

Recommendation:

The plat meets the minimum requirements of the City of Decatur's Zoning Ordinance, Subdivision Regulations and the Design Standards. Staff recommends approval.

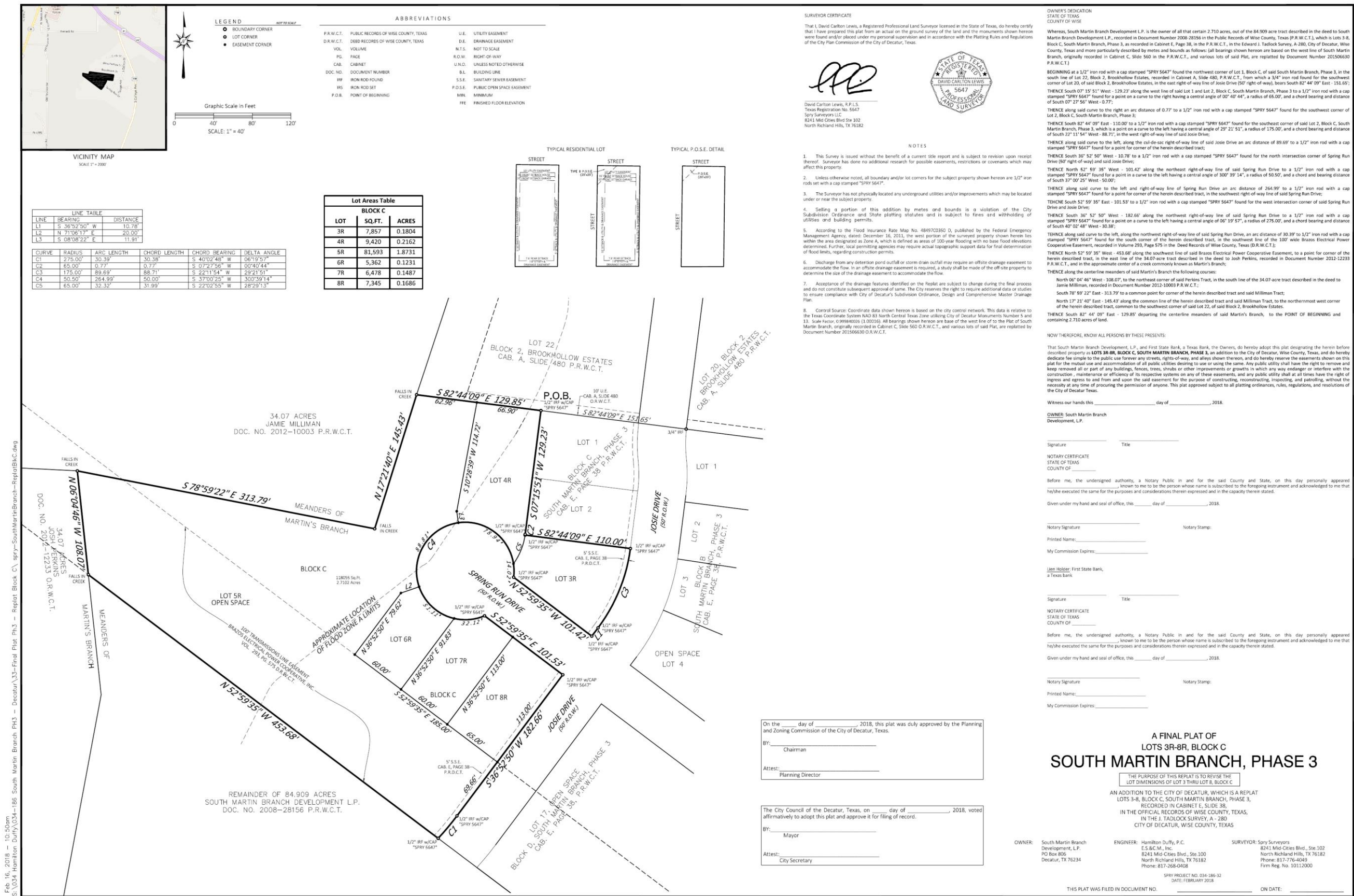
Attachments:

1. Replat Exhibit
2. 200' Property Response Map
3. Property Owner Responses



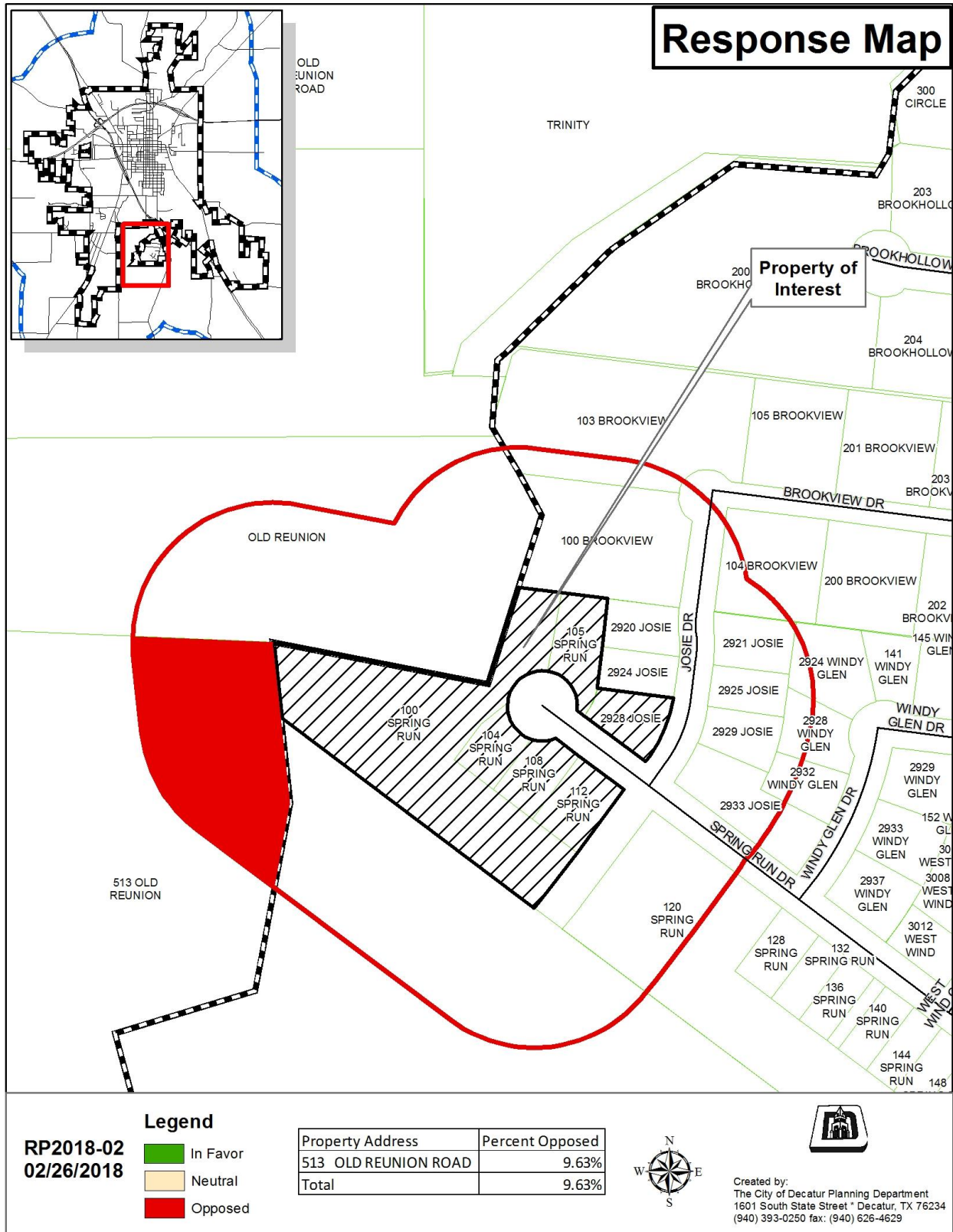
LOCATION MAP

ATTACHMENT 1
Preliminary Plat Exhibit



ATTACHMENT 2

200' Property Owner Response Map



ATTACHMENT 3
Property Owner Responses



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

Mailed 02/21/18

Notice of Public Hearing

Replat RP2018-02

The Planning and Zoning Commission (P&Z) of the City of Decatur will hold a public hearing on **Tuesday, March 6, 2018, at 6:00 p.m.**, at the City Hall Meeting Room located at 201 E. Walnut, Decatur, Texas 76234, for the Commission to hear and consider and take action to make recommendation to the City Council regarding Replat Application 2018-02—Mr. Loyd Jackson's request, on behalf of South Martin Branch Development, L.P., to final plat Lots 3R-8R, Block C, South Martin Branch, Phase 3, being approximately 16.11 acres and a replat of Lots 3-8, Block C, South Martin Branch, Phase 3 of the South Martin Branch Planned Development, to the City of Decatur, Wise County Texas. A complete legal description is found on the plat exhibit which is located at 1601 S. State St, Bldg. C, Decatur, Texas 76234.

A public hearing will be held at a meeting of the **City of Decatur City Council** on **Monday, March 12, 2018, at 6:00 p.m.**, at the City Hall Council Chamber located at 201 E. Walnut for the Council to hear and consider taking final action on Replat Application 2018-02—Mr. Loyd Jackson's request, on behalf of South Martin Branch Development, L.P., to final plat Lots 3R-8R, Block C, South Martin Branch, Phase 3, being approximately 16.11 acres and a replat of Lots 3-8, Block C, South Martin Branch, Phase 3 of the South Martin Branch Planned Development, to the City of Decatur, Wise County Texas. A complete legal description is found on the plat exhibit which is located at 1601 S. State St, Bldg. C, Decatur, Texas 76234.

By law, the Planning and Zoning Commission must hold a public hearing and then make a recommendation to the City Council concerning the request. The City Council must also hold a public hearing and decide whether or not to approve the request given public input and the Planning & Zoning Commission's recommendation.

You have the right as a City of Decatur resident and/or property owner within 200' of the area of interest to present your views before the Planning and Zoning Commission and City Council during their public hearings. At the hearings, you may speak, have someone speak on your behalf or be represented by legal counsel. You may also present your views in writing or present a petition listing the signatures of people who represent your views. Either way, your input must come before or during the public hearing to be considered.

This letter is sent to all taxpayers shown on the approved City of Decatur 2018 tax roll and others who own real property within two hundred (200) feet of property requesting the replat. This is your legal notification that these public hearings are being held and your official invitation to attend the public hearings. Please, in order for your opinion to be taken into account, return this form with your comments prior to the date of the public hearing. (This in no way prohibits you from attending and participating in the public hearing.) You may fax, mail or drop off form to the number or address located at the top of this page to the attention of:

Planning Department
1601 S. State Street
Decatur, Texas 76234

Attn: Dedra D. Ragland, AICP, Planning Director

RECEIVED

FEB 26 2018

CITY OF DECATUR
DEVELOPMENT SERVICES

These forms are used to calculate the percentage of landowners that support and oppose the request. The City Council and Planning and Zoning Commission are informed of the percent of responses in support and in opposition.

Please circle one:

In favor of request

Neutral to request

Opposed to request

Reasons for Opposition: We raise cattle. don't want to pay taxes for city utilities that will not be provided to us.

Signature: _____

Printed Name: Josh Perkins

Mailing Address: 513 Old Reunion Rd,

City, State, Zip: Decatur TX 76234

Telephone Number: 940.627.4813

Physical Address of Property within 200 feet: Tax ID: <<R000006080>> Address: <<513 OLD REUNION ROAD>>



CITY OF DECATUR, TEXAS

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STAFF REPORT

March 6, 2018–Planning & Zoning Commission Meeting

TO: Planning & Zoning Commissioners	CASE: V2018-01
FROM: Dedra D. Ragland, AICP, Planning Director	APPLICANT: Diana Haydon
DATE: January 18, 2018	REQUEST: Variance for Sidewalk along N. Church St.

Case Notes:

Hear and consider and take action to make a recommendation to City Council regarding Variance Application 2018-01—Mrs. Diana Haydon's request for a variance from Chapter 1, Section 106, Sidewalks of the City of Decatur's Design Standards on approximately 70.80 linear feet along N. Church St., where adjacent to the west boundary of Lot 5, Block 6, Terrell Addition, and more commonly known as 902 N. Church St., City of Decatur, Texas.

Legality:

According to the Decatur Design Standards, where specific topographic or other conditions make variance from these standards necessary in order to achieve the best overall design, the Planning Director upon recommendation from the City Engineer and Public Works Director may modify these standards (§101.7). The Planning and Zoning Commission may recommend and the City Council may authorize a variance from these standards when, in its opinion, extraordinary hardship will result from requiring strict compliance.

Analysis:

Per the following excerpts from Section 106 of the Decatur Design Standards, Sidewalks shall be required in all new subdivision as follows:

1. Sidewalks shall be constructed for all lots adjoining dedicated streets, along major thoroughfares where lots do not adjoin the street, across power line easements and in other areas where pedestrian walkways are necessary.
2. Sidewalks shall be designed and constructed to minimize pedestrian and automobile conflicts in order to provide the safest pedestrian access possible.
3. Sidewalks shall be designed and constructed so as to connect with existing pedestrian walkways and to assure connection with future pedestrian walkways.
4. Sidewalks shall be constructed either one (1) foot from the property line within the street right-of-way or within a dedicated sidewalk easement and shall extend along the street frontage including the side of corner lots and block ends. Lots requiring landscaping shall put trees between the sidewalk and the street.
5. Sidewalks along existing thoroughfares or streets so designated by the Master Plan shall be no less than four (4) feet in width.

6. Sidewalk construction may be delayed until development of lots, but in locations not adjacent to lots and across bridges and culverts, the sidewalk shall be constructed with the other improvements to the subdivision.
7. The plat or construction plans shall show the location of all proposed sidewalks and shall state at what stage of the project they will be constructed.
8. All sidewalks shall conform to ADA requirements.

Proposed Conditions for Approval:

The City Council may wish to consider whether or not the applicant meets all of the following four conditions in order for variance to be granted. (*City Council may wish to not grant variances due to Financial or self-induced hardships:*):

1. The requested variance does not violate the intent and spirit of the ordinance.
2. Special conditions of restricted area, shape, topography or physical features exist that are peculiar to the subject parcel and are not applicable to other parcels of land in the same zoning district.
3. The hardship is not the result of the applicant's actions, and
4. The interpretation of the provisions in this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district that comply with the same provisions.

These four conditions are listed on the application and the applicant is asked to explain how he/she meets these conditions. (See Attachment 2)

Findings:

City Engineer offers the following findings:

1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of the land;

Property is located and surrounded by Single Family development. Appears property was included in the original City of Decatur map (circa 1898) and has remained unchanged. Property was developed prior to City having a Subdivision Ordinance which would have required sidewalks. No sidewalks exist in the neighborhood.

2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

No sidewalks exist in the neighborhood. The addition of sidewalks should not affect property rights of owner, although no sidewalks exist within a reasonable distance from this property.

3. The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area;

No sidewalks exist in the neighborhood. The property has been developed for many years (included in original City of Decatur map, circa 1898), therefore it could be believed that the absence of sidewalks has not necessarily adversely impacted pedestrian safety.

4. The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Ordinance.

Area surrounding property is built out. Future replatting of surrounding properties that would require construction of sidewalks will occur in a random fashion. It is not reasonable to expect nearly all properties to have sidewalks unless City does a comprehensive project in the neighborhood.

Attachment:

1. Location Map
2. Variance Application, Checklist & Justification Letter
3. Sidewalk Variance Exhibit
4. Memo from City Engineer

Attachment 1
Location Map



Attachment 2
Variance Application, Checklist & Justification Letter

CITY OF DECATUR DEVELOPMENT SERVICES UNIVERSAL APPLICATION		
Check box to indicate application type		Incomplete applications will be rejected
<input type="checkbox"/> Annexation Petition	<input type="checkbox"/> Gas Well Development Plat	<input type="checkbox"/> Specific Use Permit
<input type="checkbox"/> Amending Plat	<input type="checkbox"/> Plat Extension-Final or Preliminary	<input type="checkbox"/> Subdivision Variance
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Zoning Change
<input type="checkbox"/> Conveyance Instrument	<input type="checkbox"/> Replat	<input type="checkbox"/> Zoning Variance (ZBA)
<input checked="" type="checkbox"/> Design Standards Variance <i>side walk</i>	<input type="checkbox"/> ROW Use Agreement	<input type="checkbox"/> Vacation Plat
<input type="checkbox"/> Final Plat	<input type="checkbox"/> ROW Abandonment/ Closing	<input checked="" type="checkbox"/> Other <i>Street Improvement</i>

Application Requirements: Signed application form, application fees, Copy and filing fees, Proof of Ownership (Deed and Deed or current tax statements), required # of plats / plans, signed checklist and a PDF of all documentation.

PROJECT INFORMATION: ☒ Residential ☐ Commercial Is this property platted? ☒ Yes ☐ No
If this property is not platted, submit a survey with a complete metes and bounds description with plat.

Project Name: *N/A* Total Acres: *less than 1 acre*

Project Address (Location): *1055 Riv. of Terrell addition* Parcel(s) Tax ID R #: _____

Parent Project Name/Number: _____ Parcel(s) Tax ID GEO #: _____

Brief Description of Project: *Sidewalk Improvment* ETV ☐ Yes

Please state the identity of any individual(s), or other entities that presently hold a lien upon the real estate which is the subject of this request: *Eric and Diana Haydon / Mortgage Bank* Lien holder/mortgagee must also sign plat for filing of record.

Existing Use: _____ Existing Zoning: *residential* # of Existing Lots: _____ # of Existing Units: _____

Proposed Use: _____ Proposed Zoning: _____ # of Proposed Lots: _____ Proposed Units: _____

APPLICANT INFORMATION: Please circle your preferred method of contact.

Applicant / Company: *Diana Haydon* Email: *diana-mare05@yahoo.com*

Address: *902 N. Church St.* Phone: *(940) 577-4370* Fax: _____

City: *Decatur* State: *TX* Zip: *76234*

Property Owner: *Eric and Diana Haydon* Email: *diana-mare05@yahoo.com*

Address: *902 N. Church St.* Phone: *940-577-4370* Fax: _____

City: *Decatur* State: *TX* Zip: *76234*

Key Contact/Company: *N/A* Email: _____

Address: _____ Phone: _____ Fax: _____

City: _____ State: _____ Zip: _____

(MUST BE SIGNED FOR ALL APPLICATIONS) - Letter of authorization required if signature is other than property owner and a letter of authorization is required from lienholder/mortgagee, if applicable.

I hereby certify that I am the owner of the property identified in this application; or, that I am the authorized agent of the owner of said property; and that I am authorized to act in their behalf, and that this application, to the best of my knowledge and belief, is true and correct. *MERS as nominee for Prime*

Diana Haydon SIGNATURE OF PROPERTY OWNER *Eric B. Haydon* SIGNATURE OF LIEN HOLDER

PLAT WAIVER (MUST BE SIGNED FOR ALL PRELIMINARY, FINAL & REPLATS)

I waive the statutory time limits in accordance with Section 212 of the Texas Local Government Code.

SIGNATURE OF PROPERTY OWNER: _____ SIGNATURE OF LIEN HOLDER: _____

Known to me to be the person(s) whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed and in the capacity therein stated. Given under my hand and seal of office on this *11* day of *January* 2018.

JAEI MARES
 Notary Public, State of Texas
 My Commission Expires
 October 30, 2018

For Departmental Use Only
 Case#: *V2018-01*
 Project Mgr: *DDR*
 Total Fee(s): *75.00*
 Payment Method: *CC*
 Submittal Date: *01-12-18*
 Accepted By: *m*

RECEIVED

JAN 12 2018

CITY OF DECATUR
 DEVELOPMENT SERVICES



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State St ★ P.O. Box 1299 ★ Decatur, TX 76234 ★ www.decatutx.org

Design Standards Variance Request Subdivision Variance Request Checklist

General Requirements:

- ☒ A universal application form and the appropriate fees.
- ☒ A letter of explanation/justification. See section below.
- ☒ Submit a total of five (5) copies of site plan (if applicable) for the property. These copies should be individually folded with drawing side out. *will drop off @ office!*
- ☒ A location map clearly indicating the site in relation to adjacent streets, distance to nearest intersection and other landmarks.
- ☒ Submit one (1) copy of proof of ownership (recorded property deed or current year tax statements).
- ☒ Submit documentation on any and all liens and lien holders of property.
- ☒ I have reviewed the checklist and all submittals for completeness and accuracy. If application submittal is determined to be incomplete, additional fees may be assessed.

Variance Requested:

I, Diana Hampton, being the owner of the property located at 902 N. Church St
Decatur, TX 76234 which is/is not currently under consideration for final platting, request a variance from:

☒ Design Standards

Chapter 1

- Section 106 Sidewalks
 - ☐ Construction (Section 106.1)
 - ☐ Minimum Width (Section 106.7)
- Section 107 Landscape Design
 - ☐ Single-Family Landscaping Requirements
 - ☐ Multi-Family Landscaping Requirements
 - ☐ Office/Retail/Commercial Landscaping Requirements
 - ☐ Industrial Landscaping Requirements
- Section 108 Buffering
 - ☐ Type A Buffering—4' Fence with one (1) linear landscaping band
 - ☐ Type B Buffering—6' Decorative fence architecturally compatible with general area with one (1) linear landscaping band
 - ☐ Type C Buffering—6' Decorative fence architecturally compatible with general area with two (2) linear landscaping bands

Specify nature of request checked above

Chapter 2

- Section 201 Street Improvements
 - ☐ Curb and Gutter (Section 201.2.3)

Other

Specify Chapter _____
○ Specify Section sidewalk
☐ Specify Sub-Section _____

Specify nature of any item checked above _____

☐ Subdivision Regulations

Specify nature of request _____

Form Updated 03/2012

Content of the Letter of explanation/justification for a Variance:

I understand that I am applying for a variance from the Design Standards/Subdivision Regulations of the City of Decatur and that this variance can only be granted if I prove hardship by meeting all four of the conditions below. I also understand that financial or self-induced hardship cannot be considered for granting a variance. Below I explain exactly how I meet these four conditions:

1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of the land.

(Specify how):

The fifth amendment in the Constitution of the United States provides "nor shall property be taken for public use, without just compensation." This ordinance would deprive myself, the homeowner, of the reasonable use of the land because it would no longer count as part of my home's land value and would in turn devalue my property as it would no longer serve as land for use.

2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. (Specify):

This variance is necessary for coherence reasons. My house would be the only house on my side of the street that would end up having a sidewalk as no other house does. This would make my house be inconsistent with my neighbors and the area within which I live.

3. Granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area. (Specify):

The other properties in and around my property do not have a sidewalk in place and thus it would not affect the safety of pedestrians or injure surrounding properties because we would all look the same.

4. The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Design Standards or Subdivision Regulations and that the interpretation of the provisions in this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district that comply with the same provisions. (Specify):

Currently, there are only two other properties on Church St that actually have a sidewalk. Those two properties both have deteriorating sidewalks that are not in good condition. Also, none of my neighbors on either side have a sidewalk in front of my home so if I was allowed a variance it would not affect my subdivision/neighbors in any way.

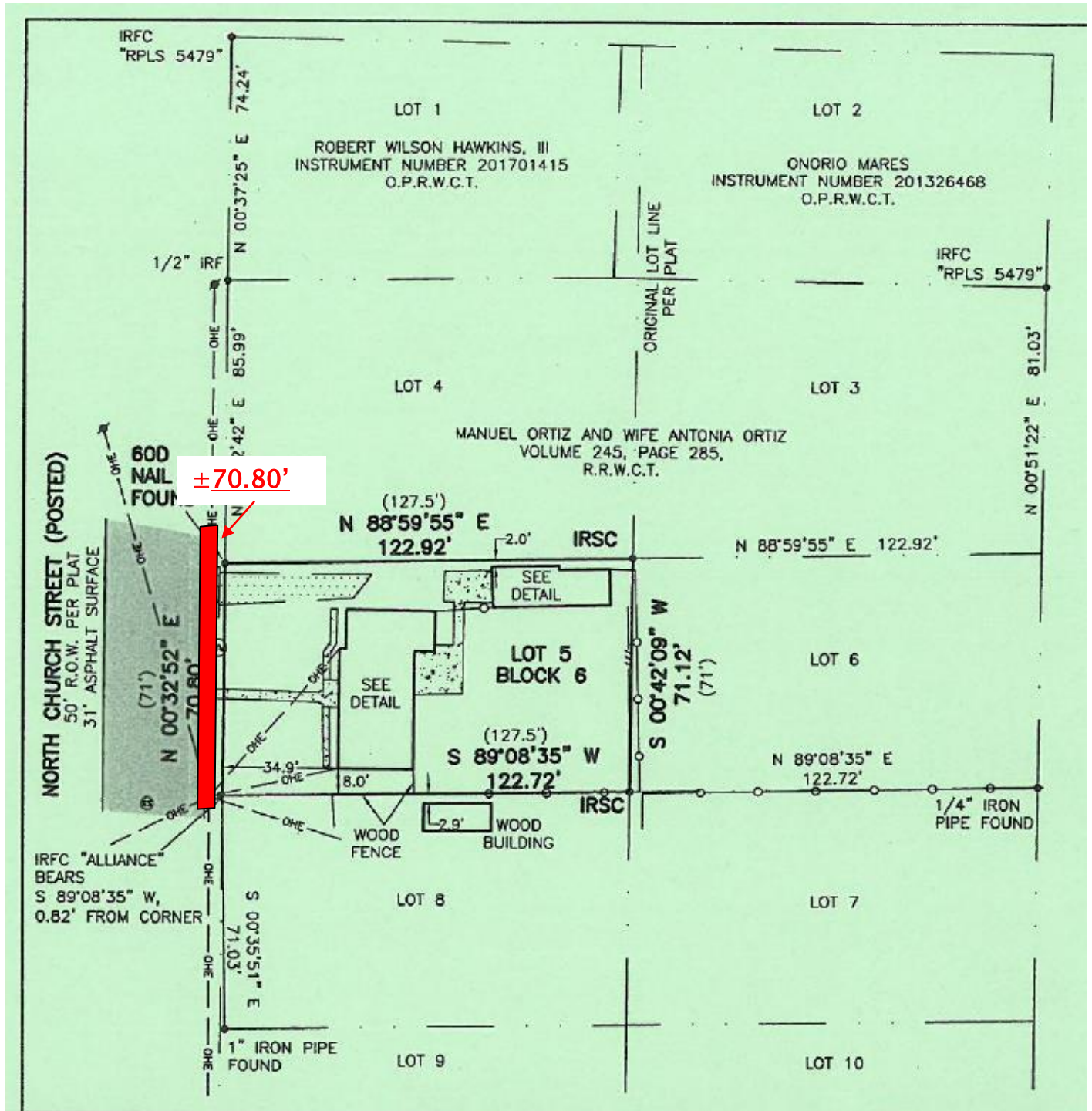
Signature

Date

1/10/17

Form Updated 03/2012

Attachment 3
Sidewalk Variance Exhibit



Attachment 4
Memo from City Engineer



**City of Decatur
City Engineer**

Memo

To: Shanna Smith
Dedra Ragland

Cc: Greg Hall
Katherine Griffith

From: Earl Smith, P.E., CFM, City Engineer

Date: 01/16/2018

Re: 2018-01; Variance Request, Sidewalk on North Church; Lot 5, Block 6,
Terrell Addition; 902 N. Church

Comments on Variance Request:

From Subdivision Ordinance: 103.8 - Conditions for Approval.

No variance shall be granted unless the Council finds that all of the following conditions exist:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of the land;

Property is located and surrounded by Single Family development. Appears property was included in the original City of Decatur map (circa 1898) and has remained unchanged. Property was developed prior to City having a Subdivision Ordinance which would have required sidewalks. No sidewalks exist in the neighborhood.

And;

2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

No sidewalks exist in the neighborhood. The addition of sidewalks should not affect property rights of owner, although no sidewalks exist within a reasonable distance from this property.

And;

3. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area;

No sidewalks exist in the neighborhood. The property has been developed for many years (included in original City of Decatur map, circa 1898), therefore it could be believed that the absence of sidewalks has not necessarily adversely impacted pedestrian safety.

And;

4. That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Ordinance.

Area surrounding property is built out. Future replatting of surrounding properties that would require construction of sidewalks will occur in a random fashion. It is not reasonable to expect nearly all properties to have sidewalks unless City does a comprehensive project in the neighborhood.



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

Agenda Item 5

STAFF REPORT

March 6, 2018– Planning and Zoning Commission Meeting

TO: Planning and Zoning Commissioners

CASE: PP2017-09

FROM: Dedra D. Ragland, AICP, Planning Director

APPLICANT: Andrew Simonsen, on behalf of
Thom Lambert and Decatur
Economic Development
Corporation

DATE: February 22, 2018

REQUEST: Preliminary Plat Application

Case Notes:

Hear staff report and consider taking action to make a recommendation to City Council regarding Preliminary Plat Application 2017-09—Mr. Andrew Simonsen's request, on behalf of Thom Lambert and Decatur Economic Development Corporation, to preliminary plat Lots 1-3, Block 1, Eagles Landing Business Park, being a 162.1419 acre tract of land in the S. Brandenburg Survey, Abstract No. 49, the F. Diaz Survey, Abstract No. 254 and the Smith & Merriman Survey, Abstract No. 785, City of Decatur, Wise County, Texas. A complete legal description is found on the plat exhibit in this staff report.

Legality:

This property can be legally platted in accordance with Section 212 of the *Texas Local Government Code*.

Issues:

None.

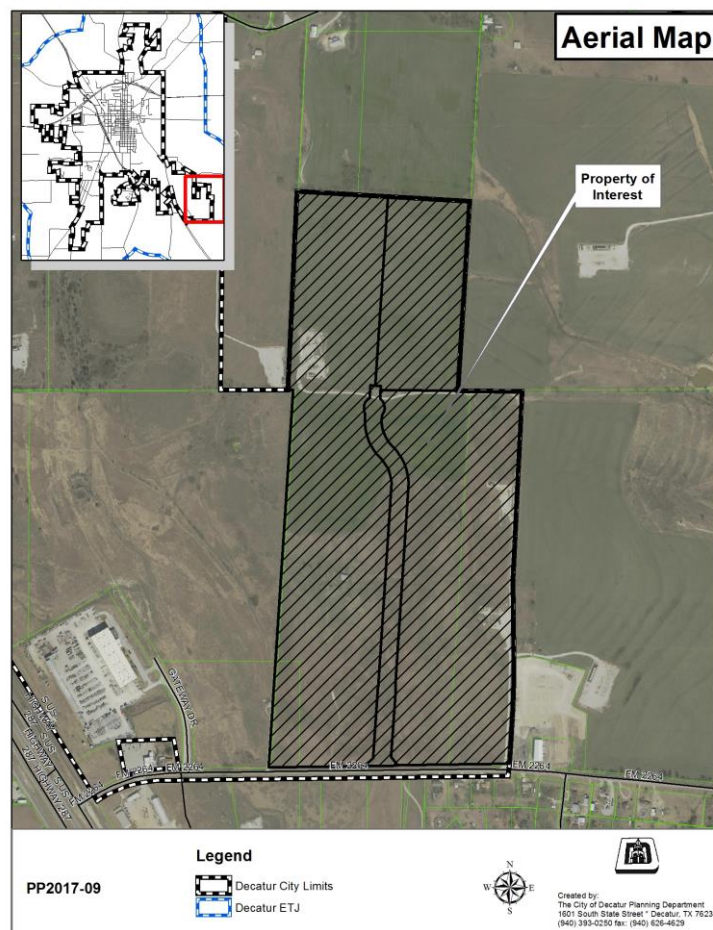
Recommendation:

The plat meets the minimum requirements of the City of Decatur's Zoning Ordinance, Subdivision Regulations and the Design Standards. Staff recommends approval.

Note: Plat identifies mineral development site easements for future gas well drilling and a privately owned and maintained access easement for the gas well operator's exclusive use.

Attachment:

1. Preliminary Plat Exhibit



LOCATION MAP

ATTACHMENT 1

Preliminary Plat Exhibit

LOT TABLE		
LOT NO.	ACRES	SQ. FT.
LOT 1, BLOCK 1	73.4860	3,201,048
LOT 2, BLOCK 1	21.0812	918,298
LOT 3, BLOCK 1	58.7401	2,558,719
ROW DEDICATION	8.8347	384,838

CURVE TABLE					
CNO	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	14°02'10"	26.00	0.37	N10°46'11"E	0.36
C2	14°02'10"	24.00	5.88	N10°46'11"E	5.86
C3	49°47'49"	26.00	233.79	N21°08'49"E	226.50
C4	49°47'49"	397.00	344.98	N21°09'05"E	334.23
C5	97°30'41"	80.50	137.00	S07°55'05"E	121.06
C6	97°34'58"	80.50	137.00	S07°41'54"E	121.12
C7	49°47'49"	333.00	289.42	S21°08'49"E	280.39
C8	49°47'49"	333.00	289.37	S21°09'04"E	280.35
C9	49°47'46"	266.00	233.75	S21°09'05"E	226.47
C10	49°47'49"	397.00	345.04	S21°09'05"E	334.28
C11	14°02'10"	24.00	0.37	S02°16'00"E	5.86
C12	14°02'10"	26.00	6.38	S02°16'00"E	6.35
C50	13°53'32"	80.50	19.66	S56°55'29"W	19.61

LINE TABLE			LINE TABLE		
NO	BEARING	LENGTH	NO	BEARING	LENGTH
L1	S03°44'35"W	250.26	L52	N78°12'42"W	229.65
L2	N48°45'06"E	93.57	L53	N89°38'00"W	536.20
L3	N03°45'08"E	0.35	L54	N41°00'25"W	100.99
L5	N17°41'16"E	10.34	L55	N48°59'35"E	75.00
L7	N03°45'06"E	1517.81	L56	S41°00'25"W	67.11
L10	N03°44'35"E	106.94	L57	S89°38'00"E	543.83
L12	N03°42'56"E	30.99	L58	N43°45'52"W	1113.70
L13	S86°17'04"E	40.00	L59	N02°40'49"E	103.40
L14	S86°17'04"E	40.00	L100	N02°40'49"E	560.23
L15	S03°42'56"W	33.63	L101	S43°45'42"E	1257.77
L16	S03°42'56"W	67.32	L102	S89°38'00"E	384.82
L18	S03°44'35"W	30.32	L103	S03°36'32"W	55.99
L21	S03°45'00"W	1517.81	L104	N00°28'10"E	19.10
L23	S10°17'05"E	10.34	L106	N73°10'34"W	114.82
L25	S03°45'00"W	52.36	L107	N89°38'00"W	442.84
L26	N41°14'54"E	82.50	L108	N12°25'31"W	136.73
L27	N89°13'58"E	134.91	L109	N77°39'20"E	30.00
L28	N89°13'58"E	126.93	L110	S12°35'21"E	112.77
L30	N03°44'37"E	16.73	L111	S89°38'00"E	408.23
L31	N66°10'04"E	670.42	L112	S73°10'34"E	112.18
L32	N86°15'45"E	206.37	L113	S03°42'56"W	30.80
L33	S03°45'06"E	15.31	L125	S00°45'00"E	49.01
L34	S03°45'06"E	167.09	L126	S86°15'45"W	1227.39
L35	S86°15'45"W	201.94	L128	S86°10'50"W	670.42
L36	S66°10'04"E	659.59	L129	S03°44'37"E	84.61
L38	S86°15'44"W	93.12	L130	N65°10'04"E	644.54
L39	N03°45'08"E	15.12	L131	N86°15'45"E	1146.92
L40	S03°45'06"E	891.93	L132	N01°08'16"E	24.31
L41	N86°15'43"E	183.91	L133	N87°16'10"E	62.96
L42	S00°46'04"E	15.02	L134	S06°04'28"E	7.45
L51	N73°10'34"W	10.00	L135	N86°15'35"E	75.00
L52	N89°38'00"E	464.68	L136	N05°04'28"E	78.19
L53	N03°44'37"E	40.28	L137	S87°16'10"E	130.06
L54	S89°38'00"E	465.96	L138	N02°52'04"E	863.65
L55	S73°10'34"E	114.82	L139	N84°17'55"W	140.25
L60	S48°05'00"W	70.62	L140	N26°18'13"E	80.12
L61	S89°13'58"W	73.68	L141	S84°17'55"E	183.44
L62	N03°44'37"E	266.04	L142	S02°52'04"W	789.36
L63	N86°52'42"E	767.63	L143	S02°52'04"W	211.48
L64	S03°45'06"W	226.33	L144	S01°08'16"W	266.86
L89	S02°52'04"W	28.37	L145	N86°15'45"E	22.38
L90	S02°52'04"W	41.45	L147	S00°49'04"E	75.10
L91	N61°56'17"W	82.03			

EASEMENT NOTES:

1. The easement to Natural Gas Pipeline Company of America, recorded in Volume 217, Page 247, Deed Records, Wise County, Texas is a pipeline easement and does affect subject property and is a blanket type easement and cannot be graphically depicted.
2. The right-of-way to Mitchell Energy Corporation, recorded in Volume 114, Page 442, Real Records, Wise County, Texas is a 30' wide road right-of-way easement and does affect subject property and is shown.
3. The easement to Natural Gas Pipeline Company of America, recorded in Volume 418, Page 346, Real Records, Wise County, Texas is a pipeline easement and does affect subject property and is a blanket type easement and cannot be graphically depicted.
4. The compressor site lease agreement, recorded in Volume 466, Page 498, Real Records, Wise County, Texas said document is missing Exhibit A and cannot be graphically depicted.
5. The easement to Devon Gas Services, LP, recorded in Volume 1166, Page 329, Official Records, Wise County, Texas is a 30' wide pipeline easement and does affect subject property and cannot be graphically depicted.
6. The easement to Devon Gas Services, LP, recorded in Volume 1166, Page 332, Official Records, Wise County, Texas is a 30' wide pipeline easement and does affect subject property and cannot be graphically depicted.
7. The easement to Devon Gas Services, LP, recorded in Volume 1166, Page 335, Official Records, Wise County, Texas is a 30' wide pipeline easement and does affect subject property and cannot be graphically depicted.
8. The easement to Devon Gas Services, LP, recorded in Volume 1776, Page 344, Official Records, Wise County, Texas is a 20' wide pipeline easement and does affect subject property and cannot be graphically depicted.
9. The easement to Devon Gas Services, LP, recorded in Volume 2291, Page 65, Official Records, Wise County, Texas is a 30x30' surface site easement and does affect subject property and cannot be graphically depicted.
10. The easement to Devon Gas Services, LP, recorded in Volume 2291, Page 86, Official Records, Wise County, Texas is a 30x30' surface site easement and does affect subject property and cannot be graphically depicted.

Utility Easement Restriction
Any public utility, including the City of Decatur, shall have the right to remove all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat; and any public utility, including the City of Decatur, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone.

Public Open Space Easement Restriction
No structure, object or plant of any type may obstruct vision from a height of thirty (30) inches to a height of ten (10) feet above the top of the curb, including, but not limited to buildings, fences, walks, signs, trees, shrubs, cars, trucks, etc., in the public open space easement as shown on the plat.

Drainage Easement Restriction
No construction or filing, without the written approval of the City of Decatur, shall be allowed within a drainage easement, and then only after detailed engineering plans an studies show that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) foot above the one hundred-year flood elevation.

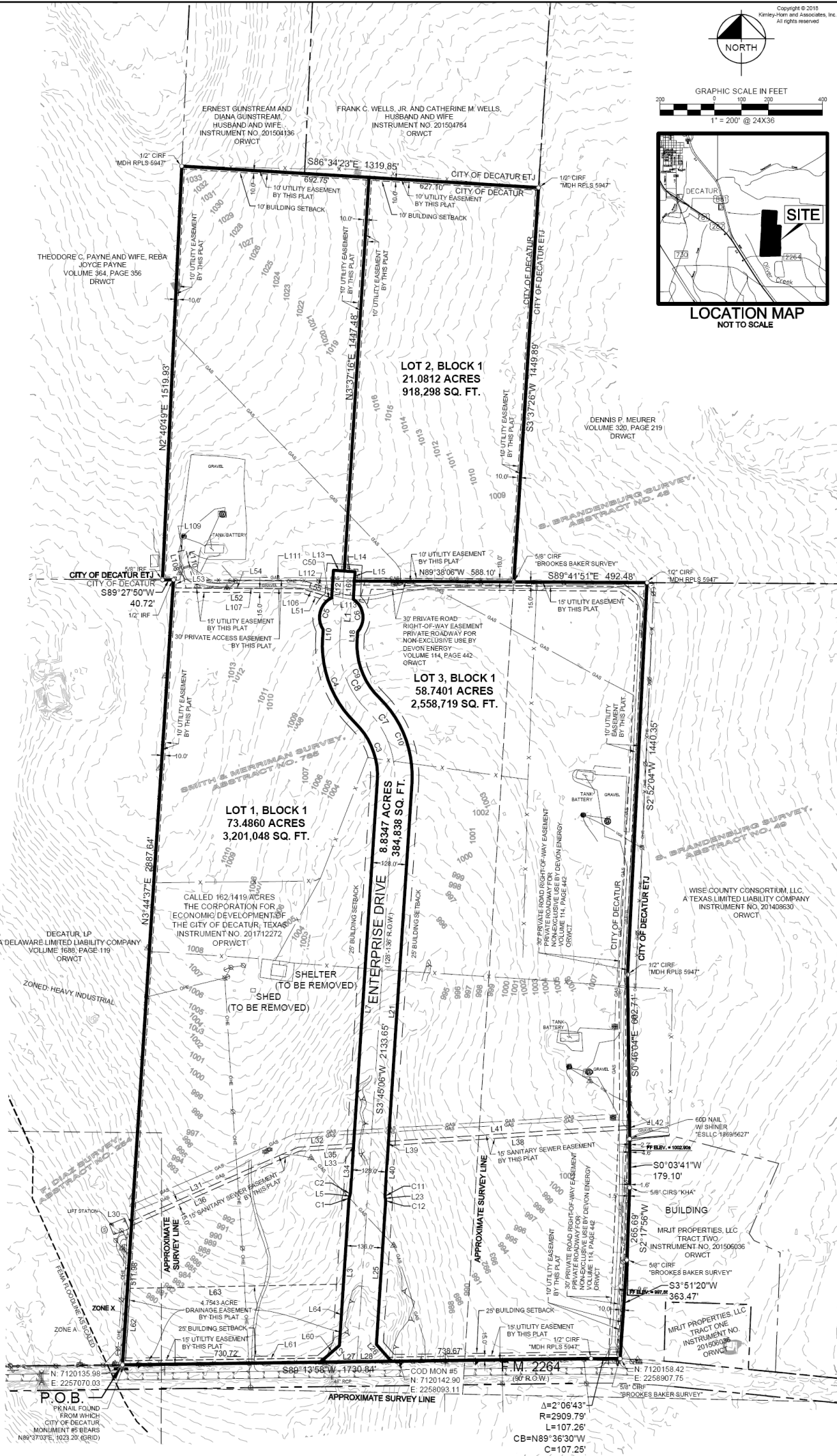
Floodway Easement Restriction
No construction, without the written approval of the City of Decatur, shall be allowed within a floodway easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction to the natural flow of water will result, and subject to all owners of the property affected by such construction becoming a part to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) foot above the one hundred-year flood elevation.

Green Space Restriction
Green space areas are strictly reserved as landscaped, open green spaces only and shall never allow intrusions of any kind that are not landscape related of that in any way lessen the amount of area or landscape material without the expressed, written permission of the City of Decatur.

NOTES:

1. According to Map No. 48497C0350D, dated December 16, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas and Incorporated Areas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located in Zone X and is not within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

1. According to Map No. 48497/C03500, dated December 16, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas and Incorporated Areas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located in zone X. Zone X is a special flood hazard area. This property is located in an identified special flood hazard area, this flood statement does not imply that the property and/or the structures therein will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. The flood statement shall not create liability on the part of the surveyor.
2. Coordinate data and bearing source shown herein is based on the city control network. The data is relative to the Texas Coordinate System NAD 83 North Central Texas Zone utilizing GPS monument City of Decatur Brass Disk in corner #6. Bearing Control combined scale factor is 1.00013 and the convergence angle is 0°50'58.58"0222". All distances and coordinates shown are based on best fit UTM definition.
3. Property corners are 5/8" iron rod with cap stamped "KHA" unless otherwise noted.
4. Discharge from any detention pond outlet or storm drain outlet may require an offsite drainage easement to accommodate the flow. If an offsite drainage easement is required, a study shall be made of the off-site property to determine the size of the drainage easement to accommodate the flow.
5. Acceptance of the drainage features identified on the Preliminary Plan are subject to change during the final plan process and do not constitute subsequent approval of same. The City reserves the right to prepare additional data or studies to ensure compliance with City of Decatur's Subdivision Ordinance, Design Standards and Comprehensive Master Drainage Plan.
6. Subject property is currently zoned Heavy Industrial.
7. Elevations are based on City of Decatur Benchmarks #005 and #013.



**PRELIMINARY PLAT
LOT 1 thru LOT 3
BLOCK 1
EAGLES LANDING BUSINESS PARK ADDITION
AN ADDITION TO
THE CITY OF DECATUR,
WISE COUNTY, TEXAS
S. BRANDENBURG SURVEY, ABSTRACT NO. 49
F. DIAZ SURVEY, ABSTRACT NO. 254
SMITH & MERRIMAN SURVEY, ABSTRACT NO. 785
162.1419 ACRES
FEBRUARY 2018**

Kimley»»Horn

<u>Scale</u> 1" = 200'	<u>Drawn by</u> FCN	<u>Checked by</u> JPW	<u>Date</u> FEB 2018	<u>Project No.</u> 061009050	<u>Sheet No.</u> 1 OF 2
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STATE OF TEXAS §
COUNTY OF WISE §

OWNERS ACKNOWLEDGMENT & DEDICATION

We, the undersigned, owners of the land shown on this plat within the area described my metes and bounds as follows:

BEING a tract of land situated in the S. BRANDENBURG SURVEY, Abstract Number 49, F. DIAZ SURVEY, Abstract Number 254 and the SMITH & MERRIMAN SURVEY, Abstract No. 785, Wise County, Texas and being a part of a called 162.1419 acre tract of land described in deed to The Corporation for Economic Development of the City of Decatur, Texas, a Texas non-profit company as recorded in Instrument Number 201712272 of the Official Records of Wise County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a PK nail found at the southwest corner of said 280.518 acre tract and at the southeast corner of a tract of land described in deed to Decatur, L.P., a Delaware limited liability company, as recorded in Volume 1688, Page 119 of said Official Records and on the north right-of-way line of Farm to Market Highway Number 2264, having a 90 foot width right-of-way;

THENCE North 3°44'37" East, along the west line of said 162.1419 acre tract and the east line of said Decatur, L.P. tract, a distance of 2887.54 feet to a 1/2" iron rod found at a reentrant corner of said 162.1419 acre tract and at the northeast corner of said Decatur, L.P. tract;

THENCE South 89°27'50" West, along a south line of said 162.1419 acre tract and the north line of said Decatur, L.P. tract, a distance of 40.72 feet to a 5/8" iron rod found at a southwest corner of said 162.1419 acre tract and on the north line of said Decatur, L.P. tract and at the southeast corner of a tract of land described in deed to Theodore C. Payne and wife, Reba Joyce Payne, as recorded in Volume 354, Page 355 of the Deed Records of Wise County, Texas;

THENCE North 2°40'49" East, along the west line of said 162.1419 acre tract and the east line of said Payne tract, a distance of 1519.93 feet to a 1/2" iron rod with cap stamped "MDH RPLS 5947" found at the northwest corner of said 162.1419 acre tract and on said east line of Payne tract and at the southwest corner of a tract of land described in deed to Ernest Gunstream and Diana Gunstream, husband and wife, as recorded in Instrument Number 201504136 of said Official Records;

THENCE South 86°34'23" East, along the north line of said 162.1419 acre tract and the south line of said Gunstream tract, to and along the south line of a tract of land described in deed to Frank C. Wells, Jr., and Catherine M. Wells, husband and wife, as recorded in Instrument Number 201504784 of said Official Records, a distance of 1319.85 feet to a 1/2" iron rod with cap stamped "MDS RPLS 5947" found at a northeast corner of said 162.1419 acre tract and at the southeast corner of said Wells tract and on the west line of a tract of land described in deed to Dennis P. Meurer, as recorded in Volume 320, Page 219 of said Deed Records;

THENCE South 3°37'26" West, along the east line of said 162.1419 acre tract and the west line of said Meurer tract, a distance of 1440.89 feet to a 5/8" iron rod with cap stamped "Brookes Baker Survey" found at a reentrant corner of said 280.518 acre tract and at the southwest corner of said Meurer tract;

THENCE South 89°41'51" East, along a north line of said 162.1419 acre tract and the south line of said Meurer, a distance of 492.48 feet to a 1/2" iron rod with cap stamped "MDS RPLS 5947" found at a northeast corner of said 162.1419 acre tract and on the south line of said Meurer tract;

THENCE departing said south line of Meurer tract, along the east line of said 162.1419 acre tract the following:
South 2°52'04" West, a distance of 1440.35 feet to a 1/2" iron rod with cap stamped "MDS RPLS 5947" found;
South 0°46'04" East, a distance of 692.71 feet to a 600 nail with shiner "ESLCC 1869/5627" found at the northwest corner of a tract of land described in deed to MRJT Properties, LLC, Tract Two as recorded in Instrument Number 201506036 of said Official Records;

THENCE continuing along said east line of said 162.1419 acre tract and the west line of said MRJT tract the following:
South 0°03'41" West, a distance of 179.10 feet to a 5/8" iron rod with cap stamped "KHA" set;
South 2°17'56" West, a distance of 265.69 feet to a 5/8" iron rod with cap stamped "Brookes Baker Survey" found;
South 3°51'20" West, a distance of 363.47 feet to a 5/8" iron rod with cap stamped "Brookes Baker Survey" found at a southeast corner of said 162.1419 acre tract and at the southwest corner of said MRJT tract and on said north right-of-way line of Farm to Market Highway Number 2264 and on a curve to the left;

THENCE along the south line of said 162.1419 acre tract on said north right-of-way line of Farm to Market Highway Number 2264 the following:
In a northwesterly direction with said curve to the left having a central angle of 2°06'43", a radius of 2509.79 feet, an arc length of 107.26 feet and a long chord bearing and distance of North 89°36'30" West, 107.25 feet to a 1/2" iron rod with cap stamped "MDS RPLS 5947" found;
South 89°13'58" West, a distance of 1730.84 feet to a the POINT OF BEGINNING and containing 162.1419 acres or 7,062,903 square feet of land.

And designated herein as EAGLES LANDING BUSINESS PARK ADDITION, a subdivision to the City of Decatur, Wise County, Texas and whose names are subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements, rights-of-way, and public places thereon shown for the purpose and consideration therein expressed.

By: _____
Name: Thom Lambert
Title: Executive Director

Date: _____

STATE OF TEXAS §
COUNTY OF §

Before me, the undersigned authority, a Notary Public and for the State of Texas, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2018.

Notary Public in and for the State of Texas

My Commission Expires On _____

KNOW ALL MEN BY THESE PRESENTS:

I, James Paul Ward, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City Planning Commission of the City of Decatur, Wise County, Texas.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

James Paul Ward
RPLS No. 5505

STATE OF TEXAS §
COUNTY OF §

Before me, the undersigned authority, a Notary Public and for the State of Texas, on this day personally appeared James Paul Ward, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2018.

Notary Public in and for the State of Texas

My Commission Expires On _____

On the _____ day of _____, 2018, this plat was duly approved by the Planning and Zoning Commission of the City of Decatur, Texas.

By: _____
Chairman

Attest: _____
Planning Director

The City Council of Decatur, Texas, on the _____ day of _____, 2018, voted affirmatively to adopt this plat and approve it for filing of record.

By: _____
Mayor

Attest: _____
City Secretary

Utility Easement Restriction
Any public utility, including the City of Decatur, shall have the right to remove all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat, and any public utility, including the City of Decatur, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone.

Public Open Space Easement Restriction
No structure, object or plant of any type may obstruct vision from a height of thirty (30) inches to a height of ten (10) feet above the top of the curb, including, but not limited to buildings, fences, walks, signs, trees, shrubs, cars, trucks, etc., in the public open space easement as shown on the plat.

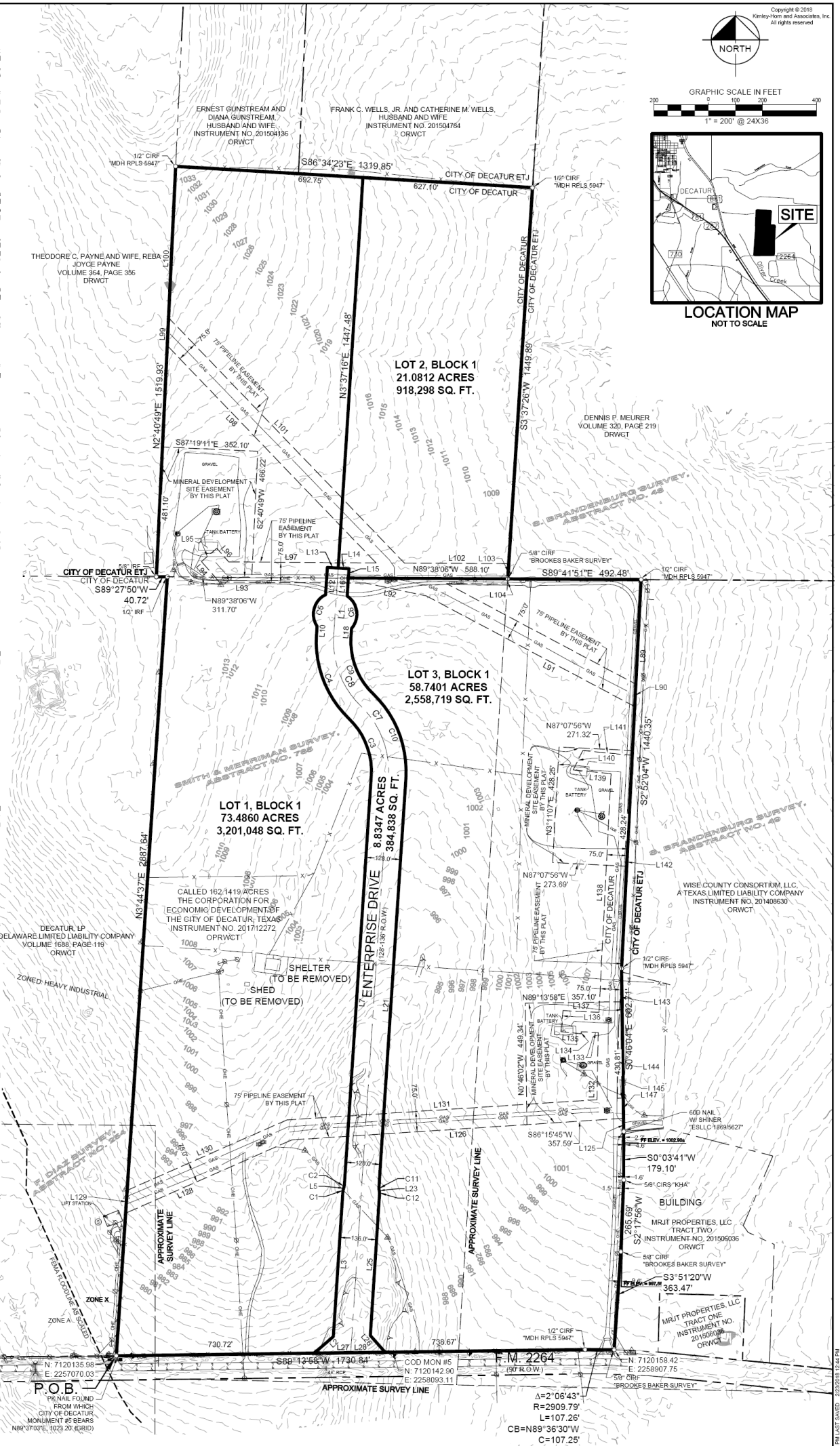
Drainage Easement Restriction
No construction or filing, without the written approval of the City of Decatur, shall be allowed within a drainage easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction to the natural flow of water will result, and subject to all owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) foot above the one hundred-year flood elevation.

Floodway Easement Restriction
No construction, without the written approval of the City of Decatur, shall be allowed within a floodway easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction to the natural flow of water will result, and subject to all owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) foot above the one hundred-year flood elevation.

Green Space Restriction
Green space areas are strictly reserved as landscaped, open green spaces only and shall never allow intrusions of any kind that are not landscape related of that in any way lessens the amount of area or landscape material without the expressed, written permission of the City of Decatur.

NOTES:

1. According to Map No. 48457C0350D, dated December 16, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas and Incorporated Areas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located in Zone X and is not within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
2. Coordinate data and bearing source shown hereon is based on the city control network. The data is relative to the Texas Coordinate System NAD 83 North Central Texas Zone utilizing GPS monument City of Decatur Brass Disk in concrete #6. Bearing Control combined scale factor is 1.00013 and the convergence angle is 00°30'58.90523". All distances and coordinates shown are based on feet US definition.
3. Property corners are 5/8" iron rod with cap stamped "KHA" unless otherwise noted.
4. Discharge from any detention pond outfall or storm drain outfall may require an offsite drainage easement to accommodate the flow. If an offsite drainage easement is required, a study shall be made of the off-site property to determine the size of the drainage easement to accommodate the flow.
5. Acceptance of the drainage features identified on the Preliminary Plat are subject to change during the final plat process and do not constitute subsequent approval of same. The City reserves the right to require additional data or studies to ensure compliance with City of Decatur's Subdivision Ordinance, Design Standards and Comprehensive Master Drain Plan.
6. Subject property is currently zoned Heavy Industrial.
7. Elevations are based on City of Decatur Benchmarks #005 and #013.



PAGE LAYOUT	
PAGE 1	ACCESS EASEMENTS, BUILDING SETBACKS, EXISTING EASEMENTS, UTILITY, SANITARY SEWER, DRAINAGE EASEMENTS, DEDICATED BY THIS PLAT
PAGE 2	PIPELINE, MINERAL DEVELOPMENT SITE EASEMENTS, DEDICATED BY THIS PLAT

LINE TYPE LEGEND	
—	BOUNDARY LINE
- - -	EASEMENT LINE
- · - · -	BUILDING SETBACK LINE

LEGEND

Δ = CENTRAL ANGLE
DRWCT = DEED RECORDS WISE COUNTY, TEXAS
ORCTC = OFFICIAL RECORDS WISE COUNTY, TEXAS

FLOOD LEGEND

ZONE A = SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, NO BASE FLOOD ELEVATION DETERMINED

ZONE X = AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN

OWNER
The Corporation for Economic Development of the City of Decatur, Texas
203 W. Walnut Street, Suite 102
Decatur, TX 76234

SURVEYOR
Kimley-Horn and Associates, Inc.
801 Cherry Street, Unit 11, Suite 950
Fort Worth, TX 76102
Contact: Paul Ward
Email: paul.ward@kimley-horn.com
Phone: (817) 339-2278

PRELIMINARY PLAT
LOT 1 thru LOT 3
BLOCK 1
EAGLES LANDING BUSINESS PARK ADDITION
AN ADDITION TO
THE CITY OF DECATUR,
WISE COUNTY, TEXAS
S. BRANDENBURG SURVEY, ABSTRACT NO. 49
F. DIAZ SURVEY, ABSTRACT NO. 254
SMITH & MERRIMAN SURVEY, ABSTRACT NO. 785
162.1419 ACRES
FEBRUARY 2018

Kimley»Horn

801 Cherry Street, Unit 11, # 950
Fort Worth, Texas 76102
FIRM # 10194040
Tel. No. (817) 335-0511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 200'	FCN	JPW	FEB 2018	06109050	2 OF 2



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

Agenda Item 6

STAFF REPORT

March 6, 2018– Planning and Zoning Commission Meeting

TO: Planning and Zoning Commissioners

CASE: PP2017-12

FROM: Dedra D. Ragland, AICP, Planning Director

APPLICANT: Jake Long, on behalf of J & S Wood Investments

DATE: February 22, 2018

REQUEST: Preliminary Plat Application

Case Notes:

Hear staff report and consider taking action to make a recommendation to City Council regarding Preliminary Plat Application 2017-12—Mr. Jake Long's request, on behalf of J & S Wood Investments, to preliminary plat Lots 1 & 2, Block 1, West Decatur Hill Addition, being a 28.41 acre tract of land in the G. M. Vigil Survey, Abstract No. 857, City of Decatur, Wise County, Texas. A complete legal description is found on the plat exhibit in this staff report.

Legality:

This property can be legally platted in accordance with Section 212 of the *Texas Local Government Code*.

Issues:

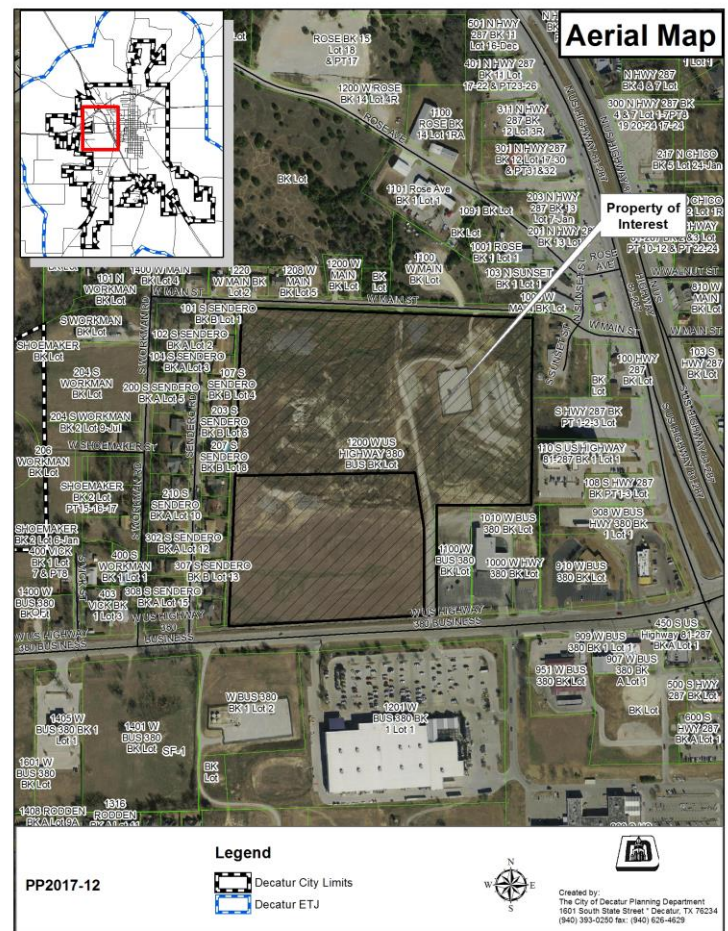
None.

Recommendation:

The plat meets the minimum requirements of the City of Decatur's Zoning Ordinance, Subdivision Regulations and the Design Standards. Staff recommends approval.

Attachment:

1. Preliminary Plat Exhibit



LOCATION MAP

ATTACHMENT 1
Preliminary Plat Exhibit

Plat unavailable. A copy will be provided at the meeting.



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

Agenda Item 7

STAFF REPORT

March 6, 2018– Planning & Zoning Commission Meeting

TO: Planning & Zoning Commissioners

CASE: FP2017-11

FROM: Dedra D. Ragland, AICP, Planning Director

APPLICANT: Andrew Simonsen, on behalf of
Thom Lambert and Decatur
Economic Development
Corporation

DATE: February 22, 2018

REQUEST: Final Plat Application

Case Notes:

Hear staff report and consider taking action to make a recommendation to City Council regarding Final Plat Application 2017-11—Mr. Andrew Simonsen's request, on behalf of Thom Lambert and Decatur Economic Development Corporation, to final plat Lots 1-3, Block 1, Eagles Landing Business Park, being a 162.1419 acre tract of land in the S. Brandenburg Survey, Abstract No. 49, the F. Diaz Survey, Abstract No. 254 and the Smith & Merriman Survey, Abstract No. 785, City of Decatur, Wise County, Texas. A complete legal description is found on the plat exhibit in this staff report.

Legality:

This property can be legally platted in accordance with Section 212 of the *Texas Local Government Code*.

Issues:

None.

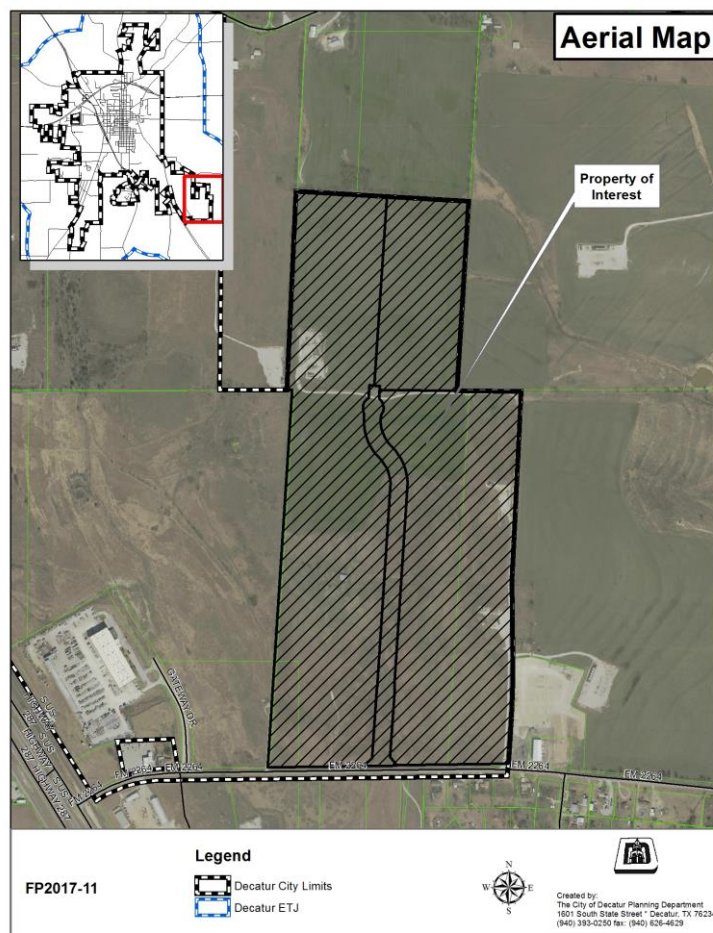
Recommendation:

The plat meets the minimum requirements of the City of Decatur's Zoning Ordinance, Subdivision Regulations and the Design Standards. Staff recommends approval.

Note: Plat identifies mineral development site easements for future gas well drilling and a privately owned and maintained access easement for the gas well operator's exclusive use.

Attachment:

1. Final Plat Exhibit



LOCATION MAP

ATTACHMENT 1
Final Plat Exhibit

LOT TABLE		
LOT NO.	ACRES	SQ. FT.
LOT 1, BLOCK 1	73.4860	3,201,048
LOT 2, BLOCK 1	21.0812	918,298
LOT 3, BLOCK 1	58.7401	2,558,719
ROW DEDICATION	8.8347	384,838

CURVE TABLE					
NO	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	14°02'10"	26.00	6.37	N10°44'11"E	6.37
C2	14°02'10"	24.00	5.88	N10°44'11"E	5.86
C3	49°47'49"	269.00	233.79	N21°08'49"W	226.50
C4	49°47'17"	397.00	344.98	N21°09'05"W	334.23
C5	93°30'41"	80.50	137.00	N15°09'55"E	121.06
C6	97°34'58"	80.50	137.00	S07°14'54"E	121.06
C7	49°47'49"	333.00	289.42	S21°06'48"E	280.39
C8	49°47'17"	333.00	289.42	S21°09'04"E	280.35
C9	49°47'16"	269.00	233.75	S21°09'05"E	226.47
C10	49°47'49"	397.00	345.04	S21°08'49"E	334.28
C11	14°02'10"	24.00	5.88	S03°16'00"E	5.86
C12	14°02'10"	26.00	6.37	S03°16'00"E	6.35
C13	13°59'32"	80.50	136.66	S56°52'59"W	119.61

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S03°44'35"W	250.26	L92	N78°12'42"W	229.85
L2	N45°45'06"E	93.75	L93	N89°3006"E	538.20
L3	N03°45'06"E	538.01	L94	N41°00'25"W	100.99
L5	N17°46'16"E	10.34	L95	N48°59'55"E	75.00
L7	N03°45'06"E	1517.81	L96	S41°00'25"E	67.11
L10	N03°44'36"E	30.66	L97	S89°30'06"E	543.82
L12	N03°45'06"E	100.95	L98	N48°48'52"W	113.10
L13	S86°17'04"E	49.97	L99	N02°40'40"E	103.40
L14	S86°17'04"E	40.00	L100	N02°40'40"E	560.23
L15	S03°45'06"W	33.63	L101	S43°45'25"E	125.77
L16	S03°45'26"W	67.32	L102	S89°30'06"E	58.58
L18	S03°44'35"W	30.62	L103	S83°36'32"W	55.96
L21	S03°45'06"W	1517.81	L104	N00°28'10"E	19.10
L23	S10°17'05"E	10.34	L106	N73°1'034"W	114.82
L25	S03°45'06"E	525.36	L107	N89°30'06"E	427.84
L26	S41°14'54"E	82.50	L108	N12°25'31"E	136.73
L27	N89°13'58"E	134.71	L109	N77°34'20"E	30.00
L28	N89°13'58"E	126.73	L110	N12°25'31"E	112.77
L30	N02°44'37"E	16.92	L111	S89°30'06"E	409.23
L31	N66°10'04"E	67.02	L112	S73°10'034"E	112.12
L32	N86°15'45"E	206.37	L113	S03°45'26"W	30.80
L33	S03°45'06"E	15.12	L125	S00°40'04"E	49.01
L34	S03°45'06"E	167.09	L126	N86°15'45"E	122.27
L35	S86°15'45"E	201.74	L128	S66°10'04"E	670.42
L36	S66°10'04"W	675.59	L129	S03°44'37"E	84.61
L38	S86°15'45"E	893.12	L130	N66°10'04"E	644.54
L39	N03°45'06"E	15.12	L131	N86°15'45"E	1146.92
L40	S03°45'06"E	893.91	L132	N10°08'16"E	248.31
L41	N86°15'45"E	181.93	L133	N87°16'40"E	62.92
L42	S00°40'04"E	15.02	L134	S00°40'28"E	7.45
L51	S73°10'034"W	100.12	L135	N85°53'52"W	75.00
L52	N89°30'06"W	464.68	L136	N06°04'28"E	73.19
L53	N03°44'37"E	40.24	L137	S87°16'40"E	108.06
L54	S89°30'06"E	485.96	L138	N02°52'04"E	883.65
L55	S73°10'34"E	114.82	L139	N48°11'755"W	140.25
L60	S48°45'06"E	70.64	L140	N28°18'13"E	80.12
L61	N89°13'58"W	73.06	L141	N48°17'55"E	183.44
L62	N03°44'37"E	266.44	L142	S02°52'04"E	789.36
L63	N86°52'42"E	787.63	L143	S02°52'04"W	211.48
L64	S03°45'06"W	225.33	L144	S01°08'16"E	228.88
L69	S02°52'04"W	387.27	L145	N86°15'45"E	26.36
L90	S02°52'04"W	41.43	L147	S00°40'04"E	75.10
L91	N61°56'17"W	872.05			

EASEMENT NOTES:

1. The easement to Natural Gas Pipeline Company of America, recorded in Volume 217, Page 247, Deed Records, Wise County, Texas is a pipeline easement and does affect subject property and is a blanket type easement and cannot be graphically depicted.
2. The right-of-way to Mitchell Energy Corporation, recorded in Volume 114, Page 442, Real Records, Wise County, Texas is a 30' wide road right-of-way easement and does affect subject property and is shown.
3. The easement to Natural Gas Pipeline Company of America, recorded in Volume 418, Page 346, Real Records, Wise County, Texas is a pipeline easement and does affect subject property and is a blanket type easement and cannot be graphically depicted.
4. The compressor site lease agreement, recorded in Volume 466, Page 498, Real Records, Wise County, Texas said document is missing Exhibit A and cannot be graphically depicted.
5. The easement to Devon Gas Services, LP, recorded in Volume 1166, Page 329, Official Records, Wise County, Texas is a 30' wide pipeline easement and does affect subject property and cannot be graphically depicted.
6. The easement to Devon Gas Services, LP, recorded in Volume 1166, Page 332, Official Records, Wise County, Texas is a 30' wide pipeline easement and does affect subject property and cannot be graphically depicted.
7. The easement to Devon Gas Services, LP, recorded in Volume 1166, Page 335, Official Records, Wise County, Texas is a 30' wide pipeline easement and does affect subject property and cannot be graphically depicted.
8. The easement to Devon Gas Services, LP, recorded in Volume 1776, Page 344, Official Records, Wise County, Texas is a 20' wide pipeline easement and does affect subject property and cannot be graphically depicted.
9. The easement to Devon Gas Services, LP, recorded in Volume 2291, Page 65, Official Records, Wise County, Texas is a 30x30' surface site easement and does affect subject property and cannot be graphically depicted.
10. The easement to Devon Gas Services, LP, recorded in Volume 2291, Page 86, Official Records, Wise County, Texas is a 30x30' surface site easement and does affect subject property and cannot be graphically depicted.

Utility Easement Restriction

Only Easement Restriction

Any public utility, including the City of Decatur, shall have the right to remove all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat, and any public utility, including the City of Decatur, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone.

Public Open Space Easement Restriction

No structure, object or plant of any type may obstruct vision from a height of thirty (30) inches to a height of ten (10) feet above the top of the curb, including, but not limited to buildings, fences, walks, signs, trees, shrubs, cars, trucks, etc., in the public open space easement as shown on the plat.

Drainage Easement Restriction

Drainage Easement Restriction: No construction or filing, without the written approval of the City of Decatur, shall be allowed within a drainage easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) foot above the one hundred-year flood elevation.

Floodway Easement Restriction

No construction, without the written approval of the City of Decatur, shall be allowed within a floodway easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction to the natural flow of water will result, and subject to all owners of the property affected by such construction becoming a part to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) foot above the one hundred-year flood elevation.

Green Space Restriction

Green space areas are strictly reserved as landscaped, open green spaces only and shall never allow intrusions of any kind that are not landscape related of that in any way lessen the amount of area of landscape material without the expressed, written permission of the City of Decatur.

NOTES:

3. According to Map No. 48497-C030500, dated December 16, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas and Incorporated Areas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located in Zone X. Zone X is a special flood hazard area and is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures therein will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
4. Coordinate data and bearing source shown herein is based on the city control network. The data is relative to the Texas Coordinate System NAD 83 North Central Texas Zone utilizing GRS monument City of Decatur Brack Disk in control #6. Bearing Control combined scale factor is 1.00013 and the coordinate angle is 0310°58'50.5223". All distances and coordinates shown are based on feet to the definition.
5. Property corners are 5/8" iron rod with stamped "KHA" unless otherwise noted.
6. Discharge from any detention pond outfall or storm drain outfall may require an offsite drainage easement to accommodate the flow. If an offsite drainage easement is required, a study shall be made of the off-site property to determine the size of the drainage easement to accommodate the flow.
7. Acceptance of the drainage features identified on the Preliminary Plat are subject to change during the final plat process and do not constitute subsequent approval of same. The City reserves the right to require additional studies or studies to ensure compliance with City of Decatur's Subdivision Ordinance, Design Standards and Comprehensive Master Drainage Plan.
8. Subject property is currently zoned Heavy Industrial.
9. Elevations are based on City of Decatur Benchmarks #005 and #013.

PAGE LAYOUT

PAGE 1	ACCESS EASEMENTS, BUILDING SETBACKS, EXISTING EASEMENTS, UTILITY, SANITARY SEWER, DRAINAGE EASEMENTS-DEDICATED BY THIS PLAT
PAGE 2	PIPELINE, MINERAL DEVELOPMENT SITE EASEMENTS-DEDICATED BY THIS PLAT

LINE TYPE LEGEND

LINE TYPE LEGEND	
	BOUNDARY LINE
	EASEMENT LINE
	BUILDING SETBACK LINE

LEGEND

Δ = CENTRAL ANGLE
DRWCT = DEED RECORDS WISE COUNTY, TEXAS

0 100 200 300 400 500 600 700 800 900 1000

FLOOD LEGEND

ZONE A = SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, NO BASE FLOOD ELEVATION DETERMINED

ZONE X = AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN

OWNER
The Corporation for Economic
Development of the City of
Decatur, Texas
203 W. Walnut Street, Suite 102
Decatur, TX 76234

SURVEYOR
Kimley-Horn and Associates, Inc.
801 Cherry Street, Unit 11, Suite 950
Fort Worth, TX 76102
Contact: Paul Ward
Email: paul.ward@kimley-horn.com
Phone: (817) 339-2278

FINAL PLAT
LOT 1 thru LOT 3
BLOCK 1
ING BUSINESS PARK ADDITION
AN ADDITION TO
E CITY OF DECATUR,
SE COUNTY, TEXAS
URG SURVEY, ABSTRACT NO. 49
URVEY, ABSTRACT NO. 254
MAN SURVEY, ABSTRACT NO. 785
162.1419 ACRES
FEBRUARY 2018

Kimley»»Horn

801 Cherry Street, Unit 11, # 950
Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511
www.kimley-horn.com

<u>Scale</u> 1" = 200'	<u>Drawn by</u> FCN	<u>Checked by</u> JPW	<u>Date</u> FEB 2018	<u>Project No.</u> 061009050	<u>Sheet No.</u> 1 OF 2
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